<u>IN THE DRAWINGS</u>:

The attached Replacement Sheet includes changes to Fig. 15. Specifically, in amended Fig. 15, reference characters S151-S154 have been deleted.

Attachments: Replacement Sheet
                Annotated Sheet showing changes

<u>REMARKS</u>

This application has been reviewed in light of the Office Action dated July 3, 2008. Claims 1, 2, and 4-9 are presented for examination, of which Claims 1, 5, 8, and 9 are in independent form. Claims 3 and 10-16 have been canceled, without prejudice or disclaimer of the subject matter presented therein. Claims 1 and 4-9 have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

The Office Action objected to Fig. 15 because reference characters S151-S154 are shown in this figure but are not mentioned in the specification. Submitted herewith is a Replacement Sheet of corrected drawings, which includes changes to Fig. 15. In amended Fig. 15, reference characters S151-S154 have been deleted. Applicants submit that the amendments to the drawing add no new matter to the original disclosure. Accordingly, approval of amended Fig. 15 is respectfully requested.

The Office Action objected to Figs. 5, 16, and 18 on the grounds that reference characters 51, 161, and 181 all are used to designate a Code Input Unit, and that reference characters 52, 162, and 182 all are used to designate an Entropy Decoding Unit. The Office Action appears to assert that the same reference characters should be used to designate the same object. Applicants respectfully disagree. The different reference characters 51, 161, 181 are used in the different figures to show Code Input Units in different situations. Similarly, the different reference characters 52, 162, and 182 are used in the different figures to show Entropy Decoding Units in different situations. Because of the different uses of these units, Applicants submit that it is not improper to use different reference characters therefor. Accordingly, approval of the drawings is respectfully requested.

The Office Action objected to Claims 5, 10, 13, and 16 as being of improper dependent form for failing to further limit the subject matter of a previous claim. Cancellation of Claims 10, 13, and 16, and amending of Claim 5 to be in independent form renders the objections thereto moot. Withdrawal of these objections is therefore respectfully requested.

The Office Action objected to Claims 1, 2, 5, 8-11, and 13-16 for certain informalities. In particular, the Office Action appears to assert that the elements of each of these claims must refer to the corresponding preamble. Applicants respectfully disagree and submit that the elements of a claim need not refer to the preamble. "[A] claim preamble has the import that the claim as a whole suggests for it." MPEP § 2111.02 (citing *Bell Communications Research, Inc. v. Vitalink Communications Corp.*, 55 F.3d 615, 620 (Fed. Cir. 1995)). Accordingly, it is believed that the objections have been obviated and their withdrawal is therefore respectfully requested. Should the Examiner maintain these objections, Applicants respectfully request further clarification as to the rationale relied upon for such objections.

The Office Action states that Claims 1-12 and 14-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,047,069 (*Hogan*) in view of U.S. Patent No. 6,553,073 (*Ogata*); and Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hogan*, in view of *Ogata*, in further view of U.S. Patent No. 7,035,290 (*Lyle*). Cancellation of Claims 3 and 10-16 renders their rejections moot. Applicants submit that independent Claims 1, 5, 8, and 9, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

An important feature of Claim 1 is "modifying, if the determining indicates that the inputted encoded image data <u>includes</u> the error-detecting code, . . . the first error-detecting encoding information to indicate that the encoded image data <u>does not</u> include the error-detecting code, without removing the error-detecting code from the encoded image data." (Emphasis added.) By virtue of this feature, data including error-detecting codes may be encrypted and subsequently transmitted without the error-detecting function on the receiving side erroneously determining that an error has occurred.

Hogan relates to a system for encrypting data and its associated redundancy bytes while retaining the error correction capabilities of the original data. A data block containing random numbers is created and error correction codes are added to the random data block. Raw data is then exclusive OR-ed with the random data block to form an encrypted data block. As best understood by Applicants, *Hogan* is silent on modifying header information.

Ogata, as best understood by Applicants, relates to a system for implementing a two-channel compressed moving picture transmission system. The value of a cyclic redundancy check (CRC) flag indicates whether a CRC is placed in the payload. Apparently, the value of the flag always reflects the true presence of the CRC in the payload.

Nothing has been found in either *Hogan* or *Ogata* that is believed to teach, suggest, or otherwise result in "modifying, if the determining indicates that the inputted encoded image data <u>includes</u> the error-detecting code, . . . the first error-detecting encoding information to indicate that the encoded image data <u>does not</u> include the error-detecting code, without removing the error-detecting code from the encoded image data," as recited in Claim 1. (Emphasis added.)

Applicants submit that a combination of *Hogan* and *Ogata*, assuming such a combination would even be permissible, would fail to teach or suggest the modifying feature discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' view, would remedy the above-identified deficiencies of *Hogan* and *Ogata* as applied against the independent claims herein.

Accordingly, Applicants respectfully submit that Claim 1 is patentable over the cited art and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 5, 8, and 9 include features similar to those discussed above. Therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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